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S/N 08/878,168

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Avi J. Ashkenazi et al. Examiner: C. M. Kaufman  
Serial No.: 08/878,168 Group Art Unit: 1646  
Filed: 18 June 1997 Docket No.: 11669.29US02  
Title: Apo-2DCR

POWER OF ATTORNEY

The undersigned hereby appoints:

Albrecht, John W.	Reg. No. 40,481	Lacy, Paul E.	Reg. No. 38,946
Ansems, Gregory M.	Reg. No. 42,264	Larson, James A.	Reg. No. 40,443
Batzli, Brian H.	Reg. No. 32,960	Lasky, Michael B.	Reg. No. 29,555
Beard, John L.	Reg. No. 27,612	Liepa, Mara E.	Reg. No. 40,066
Berman, Charles	Reg. No. 29,249	Lindquist, Timothy A.	Reg. No. 40,701
Black, Bruce E.	Reg. No. 41,622	Lynch, David W.	Reg. No. 36,204
Blasdell, Thomas L.	Reg. No. 31,329	Marschang, Diane L.	Reg. No. 35,600
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Bruess, Steven C.	Reg. No. 34,130	McDonald, Daniel W.	Reg. No. 32,044
Byrne, Linda M.	Reg. No. 32,404	McIntyre, Iain A.	Reg. No. 40,337
Canady, Karen S.	Reg. No. 39,927	Mueller, Douglas P.	Reg. No. 30,300
Carlson, Alan G.	Reg. No. 25,959	Nasiedlak, Tyler L.	Reg. No. 40,099
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Kettelberger, Denise	Reg. No. 33,924	Wood, Gregory B.	Reg. No. 28,133
Komanduri, Janaki	Reg. No. 40,684	Wood, William J.	Reg. No. 42,236
Kowalchyk, Alan W.	Reg. No. 31,535	Xu, Min S.	Reg. No. 39,536
Kowalchyk, Katherine M.	Reg. No. 36,848		

as attorneys and/or patent agents with the full power to represent the applicant in connection with this application.

**CERTIFICATE UNDER 37 C.F.R. § 3.73(b)**

Genentech, Inc., a corporation organized and existing under the laws of the State of Delaware, having a place of business at 1 DNA Way, South San Francisco, CA 94080-4990, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

- A.  An assignment from the inventor(s), of the patent application identified above.

The assignment was recorded in the Patent and Trademark Office on November 10, 1997, at Reel 8793, Frame(s) 0118 (copy attached).

- B.  A chain of title from the inventor(s) of the patent application identified above to the current assignee as shown below:

1. From: To:

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2. From: To:

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3. From: To:

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- Additional documents in the chain of title are listed on a supplemental sheet.  
 Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Please direct all correspondence to Diane Marschang, MERCHANT, GOULD, SMITH, EDELL, WELTER & SCHMIDT, P.A., 3100 Norwest Center, 90 South Seventh Street, Minneapolis, MN 55402-4131, telephone (612) 336-4623.

Date: October 8, 1998

By: Sean Johnston *Mr*  
Sean Johnston

Title: Vice President, Intellectual Property

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GENENTECH, INC. LEGAL DEPT.

DECEMBER 29, 1997



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GENENTECH, INC.  
DIANE L. MARSCHANG  
1 DNA WAY  
SOUTH SAN FRANCISCO, CALIFORNIA 94080

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

DYCK  
P1110



\*100573639A\*

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NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 11/10/1997

REEL/FRAME: 8793/0118  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:

ASHKENAZI, AVI J.

DOC DATE: 10/29/1997

ASSIGNEE:

BAKER, KEVIN P.

DOC DATE: 11/04/1997

ASSIGNEE:

GURNEY, AUSTIN

DOC DATE: 11/04/1997

ASSIGNEE:

WOOD, WILLIAM I.

DOC DATE: 11/04/1997

ASSIGNEE:

GENENTECH, INC.  
1 DNA WAY  
SOUTH SAN FRANCISCO, CALIFORNIA  
94080-4990

SERIAL NUMBER: 08878168

FILING DATE: 06/18/1997  
PATENT NUMBER:  
ISSUE DATE:

8793/0118 PAGE 2

MAURICE CARTER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

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OCT 26 1998

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

Atty Dkt No: P1110

RECEIPT REC'D. Assistant Commissioner

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ments or copy thereof.

## 1. Name of conveying party(ies)

Avi J. Ashkenazi  
 Kevin P. Baker  
 Austin Gurney  
 William I. Wood

11-10-97

## 2. Name and address of receiving party(ies):

Name: GENENTECH, INC.

Internal Address:

Street Address: 1 DNA Way

City: South San Francisco State: California

ZIP: 94080-4990

Additional name(s) & address(es) attached? Yes  No

## 3. Nature of conveyance:

- |  |                |
|--|----------------|
| <input checked="" type="checkbox"/> Assignment | Merger         |
| <input type="checkbox"/> Security Agreement    | Change of Name |
| Other:   |                |

Execution Date: October 29, 1997; November 4, 1997

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

08/878,168

B. Patent No.(s)

Additional numbers attached? Yes  No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Diane L. Marschang  
 GENENTECH, INC.  
 1 DNA Way  
 South San Francisco, CA 94080

## 6. Total number of applications and patents involved: 1

## 7. Total fee (37 CFR 3.41): \$ 40.00

Enclosed

 Authorized to be charged to deposit account8. Deposit account number:  
07-0630

11/17/1997 00000120 DAH:070630 08878168

40.00 Cn

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## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Diane L. Marschang  
 Name of Person Signing  
 Registration No. 35,600

Diane L. Marschang  
 Signature

November 5, 1997  
 Date

Total number of pages comprising cover sheet, attachments and document: 3

Mail documents to be recorded with required cover sheet information to:

Assistant Commissioner of Patents  
 Box Assignments  
 Washington, D.C. 20231

Revised (10/11/95)

A S S I G N M E N T

WHEREAS, Avi J. Ashkenazi, a citizen of Israel, residing at 1456 Tarrytown Street, San Mateo, California 94402; Kevin P. Baker, a citizen of Great Britain, residing at 1515 South Grant Street, San Mateo, California 94402-1932; Austin Gurney, a citizen of United States, residing at 1 Debbie Lane, Belmont, California 94002; and William I. Wood, a citizen of United States, residing at 1400 Tarrytown Street, San Mateo, California 94402 (hereinafter "ASSIGNORS"), have invented a new and useful invention in

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for which an application Serial No. 08/878,168 (Docket No. P1110) for Letters Patent has been filed by them on 18 June 1997; and

WHEREAS, GENENTECH, INC., a corporation organized and existing under and by virtue of the laws of the State of Delaware, having a place of business at 1 DNA Way, South San Francisco, California 94080, is desirous of acquiring an interest in and to said invention, and in and to the Letters Patents to be obtained therefor;

NOW, THEREFORE, be it known by all whom it may concern;

That for good and valuable consideration the receipt of which is hereby acknowledged, the said ASSIGNORS have and do hereby sell, assign, transfer and set over unto the said GENENTECH, INC., its successors and assigns, the full and exclusive right, title and interest including all rights under the Paris Convention for the Protection of Industrial Property, in and to said invention, and in and to any and all Letters Patents to be granted and issued therefor, not only for, to, and in the United States of America, its territories and possessions, but for, to and in all other countries; and it has been and is hereby authorized and requested that the appropriate government agencies issue said Letters Patents to said GENENTECH, INC., in accordance with this Assignment.

Said ASSIGNORS covenant and agree to cooperate with GENENTECH, INC., to enable said GENENTECH, INC. to enjoy to the fullest extent the right, title and interest herein conveyed in the United States and foreign countries. Such cooperation by said ASSIGNORS includes prompt production of pertinent facts and documents, giving of testimony, execution of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said GENENTECH, INC., (a) for perfecting the right, title and interest herein conveyed (b) for prosecuting any of said applications; (c) for filing and prosecuting applications for reissuance of any of said patents; (d) for interference or other priority proceedings involving said invention; and (e) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use proceedings, infringement actions and court actions; provided, however, that the expense incurred by said ASSIGNORS in providing such cooperation shall be paid for by said GENENTECH, INC.

The terms and covenants of this assignment shall inure to the benefit of said GENENTECH, INC., its successors, assigns and other legal representatives, and shall be binding upon said ASSIGNORS, their respective heirs, legal representatives and assigns.

Said ASSIGNORS hereby warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF we undersign as follows;

South San Francisco

Dated: 10/29/97

Avi Ashkenazi

Avi J. Ashkenazi

South San Francisco

Dated: 11/4/97

KPB

Kevin P. Baker

South San Francisco

Dated: 11/4/97

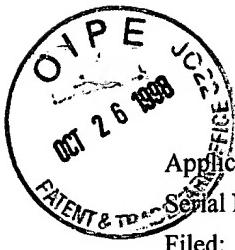
Austin Gurney

South San Francisco

Dated: 11/4/97

William I. Wood

William I. Wood



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1646  
Applicant: Avi J. Ashkenazi et al. Examiner: C. M. Kaufman  
Serial No.: 08/878,168 Group Art Unit: 1646  
Filed: 18 June 1997 Docket: 11669.29US02  
Notice of n/a Batch No.: n/a  
Allow. Date:  
Due Date: n/a  
Title: APO-2 DCR

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described hereinabove, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on October 20, 1998.

By: *Diane L. Marschang*  
Diane L. Marschang

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- Transmittal Sheet in duplicate containing Certificate of Mailing
- Other: Power of Attorney; copy of recorded assignment.
- Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT, GOULD, SMITH, EDELL,  
WELTER & SCHMIDT  
3100 Norwest Center, Minneapolis, MN 55402  
(612) 332-5300

By: *Diane L. Marschang*  
Name: Diane L. Marschang  
Reg. No.: 35,600  
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